

**REMARKS/ARGUMENTS**

Upon entering the above amendments to the claims, claims 22-41 will be pending in this application and subject to a restriction requirement. Claims 1-21 are canceled, Claim 22 is amended and Claims 24-41 are new. Amendments to the claims are to correct antecedent basis and provide additional claims for the elected Group. Support for the present amendment is found in the specification and claims as originally filed. Applicants believe no new matter is present in any portion of the preliminary amendment and respectfully request that the amendment be entered for substantive examination.

The Examiner has requested restriction to one of the following inventions (Groups I-III):

I. Claims 1-16, drawn to a method for producing enantiomerically enriched compounds having the structure depicted in claim 1, classified in class 562, subclass 472.

II. Claims 17-21, drawn to a salt derived from a compound recited in the claim, classified in class 562, subclass 472.

III. Claims 22 and 23, drawn to a process for enantioselectively producing compounds depicted in claim 22, classified in class 560, subclass 62.

In response to the restriction requirement, Applicants provisionally elect to prosecute the invention of Group III (claims 22-41 drawn to a method for producing enantiomerically enriched compounds).

The invention of new claims 24-41 are within the scope of the invention of Group III.

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Response to Restriction Requirement and Preliminary  
Amendment

PATENT

With regard to the drawings, enclosed as Appendix 1 are clear copies of these previously submitted figures. Reconsideration of the application is respectfully requested in view of the following remarks.

### CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for substantive review on their merits. If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 925-472-5014.

Respectfully submitted,



Mark H. Hopkins, Ph.D.  
Reg. No. 44,775

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, Eighth Floor  
San Francisco, California 94111-3834  
Tel: 925-472-5000  
Fax: 415-576-0300  
MHH/dmd  
60655105 v1